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Application No.5125 of 2023

in

O.P.No.298 of 2021

N.SATHISH KUMAR.J.,

The father of minor Dhanya Shree is before this court seeking visitation right between 04.00 p.m. and 08.00 p.m. till 12.10.2023.

2. This application was filed on 29.09.2023.

3. It is the case of the applicant that he went to United Kingdom (UK) in 2022 and has been staying there temporarily to pursue his post-graduation. He returned from UK on 27.09.2023 only for the purpose of visiting his minor child and he would be staying here at Chennai till 12.10.2023.

4. The wife of the applicant is no more. The minor daughter of the applicant has been admittedly in the custody of his mother-in-law.

5. Heard both sides.

6. On an earlier occasion, this court has granted permission to the applicant to visit his child whenever the applicant returned to India for a short stay and spend time with the child on 4th Sunday of every month for one hour initially for two months and thereafter, for three hours in the presence of the respondent



7. Considering the natural right of the applicant to see his daughter and spend time with her and also the fact that the applicant will be here in Chennai for next seven days and he will be leaving for UK on 12.10.2023, this court is inclined to entrust the custody of the child to the applicant as an interim measure on the following terms: -

(i) The applicant will have custody of the minor child daily two hours between 05.00 p.m. and 07.00 p.m. on 05.10.2023, 06.10.2023, 07.10.2023, 08.10.2023, 09.10.2023, 10.10.2023 and 11.10.2023;

(ii) The applicant will take the custody of the minor child from the respondent at her residence by 05.00 p.m. and handover the custody of the child back to the respondent on the same day at her residence by 07.00 p.m.;

(iii) The applicant shall surrender his passport before this court forthwith and if not feasible by tomorrow and get back the same on 11.10.2023 from this court;

(iv) The applicant shall ensure the safety and custody of the child;



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(v) The respondent shall facilitate the custody of the child with the applicant and shall not poison the mind of the child in any manner to avoid the custody with the applicant.

(vi) It is made clear that this interim arrangement is made purely as one time measure in addition to the order of this court passed on 01.08.2022 in A.No 2837 of 2022 in O.P.No.298 of 2021 and not in modification.

This application is disposed of accordingly with the directions as indicated above.

04..10..2023

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Note: The Registry is directed to issue order copy on 05.10.2023.



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